

REMARKS

Claims 9-16 are pending of which claims 9, 11, 13 and 15 are independent. In this Amendment, claims 9, 11, 13 and 15 have been amended to clarify an aspect of the invention and to clarify unclear claim wording. Support is found in, for example, paragraphs [0074]-[0081] of the application-as-published. Care has been undertaken not to introduce new matter.

Claim Rejections Under 35 U.S.C. §112

Claims 13-16 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner indicated that the claim language “the first area for embedding additional information without altering icon image” in claims 13 and 15 is unclear about what is the exact level of sufficiency to constitute the level of recognition without altering the icon image.

In response, the claim language has been changed to “the first area for embedding additional information different from the icon image information, without making a substantial change in appearance of the icon image.” to be consistent with the description of the specification (paragraph [0095] of the application-as-published) noted by the Examiner. Therefore, the rejection is respectfully traversed.

Claim Rejections Under 35 U.S.C. §102

Claims 9-16 were rejected under 35 U.S.C. §102 as being anticipated by Mendori et al. (International Conference on Computer Education- ICCE’ 2002, hereinafter “Mendori”). The rejection is respectfully traversed for the following reasons.

Amended claims 9 and 11, in pertinent part, recite “determining whether start information necessary for initiating a session is embedded in the icon image, the start information being additional information different from the image information,” and “extracting the start information from the icon image based on an algorithm that is unique to the user when it is determined that the start information is embedded in the icon image.”

As illustrated in FIG. 4, one example of what is claimed in claims 9 and 11, the embedded information determining unit 402 determines that the start information is embedded in the icon image and the information extracting unit 403 extracts the start information from the icon image. The start information is an additional information such as a user ID and a password different from the image information. Mendori fails to disclose the limitations of claims 9 and 11.

Mendori relates to a system that provides children who have difficulty in memorizing and inputting passwords when they log on a network with an interface where the children input their passwords easily. Mendori's system requires children to choose their user name on the pull down login name list that have been pre-registered on the system. Following the choosing of their user name, the children are required to choose a combination of different icon images that represent their password. Thus, Mendori's icon itself does not have a user ID and a password for each child. Mendori's user ID is inputted separate from choosing icon images. Moreover, since the combination of several icon images is equivalent to the password, each icon image does not serve as a password. This is in direct contrast with what is claimed in claims 9 and 11 in which the “start information necessary for initiating a session is embedded in the icon image,” and “the start information (is) additional information different from the image information.”

Furthermore, because Mendori's icon image does not have the start information therein, Mendori's system does not require a step of extracting the start information from the icon image. In contrast, the invention of claims 9 and 11 requires "extracting the start information from the icon image" "when it is determined that the start information is embedded in the icon image."

As anticipation under 35 U.S.C. § 102 requires that each element of the claim in issue be found, either expressly described or under principles of inherency, in a single prior art reference, *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 USPQ 781 (Fed. Cir. 1983), based on the foregoing, it is submitted that Mendori does not anticipate claims 9 and 11, nor any claim dependent thereon. Thus, claims 9 and 11 and claims dependent thereon are patentable over Mendori.

Claims 13, in pertinent part, recites "the first area for embedding additional information different from the icon image information," "an area determining unit that determines a second area, based on an algorithm that is unique to the user, from the first area detected, the second area for embedding the user information," "an information embedding unit that embeds the user information in the second area determined," and "an icon-image outputting unit that outputs the icon image embedded with the user information."

Claim 15, in pertinent, recites similar limitations to claim 13, "detecting a first area based on a structure of the icon image information input, the first area for embedding additional information different from the icon image information, without making a substantial change in appearance of the icon image," "determining a second area, based on an algorithm that is unique to the user, from the first area detected, the second area for embedding the user information," "embedding the user information in the second area determined," and "outputting the icon image embedded with the user information."

Mendori fails to disclose the limitations of claims 13 and 15.

As addressed above, Mendori's icon image, by itself, does not have user information such as a user ID and a password. On the contrary, the icon image creating apparatus of claim 13 embeds "the user information" in the icon "different from icon image information."

As anticipation under 35 U.S.C. § 102 requires that each element of the claim in issue be found, either expressly described or under principles of inherency, in a single prior art reference, *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 USPQ 781 (Fed. Cir. 1983), based on the foregoing, it is submitted that Mendori does not anticipate claims 13 and 15, nor any claim dependent thereon. Thus, claims 13 and 15 and claims dependent thereon are patentable over Mendori.

Conclusion

Upon entry of the above claim amendments, claims 9-16 remain active in this application. Applicant submits that all of the claims are in condition for allowance. Accordingly, this case should now be ready to pass to issue; and Applicant respectfully requests a prompt favorable reconsideration of this matter.

Application No.: 10/523,410

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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